

TERMINAL DISCLAIMER

Docket Number (Optional)
BAYER-0025-A

In re US PATENT No. 7,235,576 B1 of: RIEDL, Bernd et al.

Dated June 26, 2007

Application No. 10/042, 203

Filed: 1/11/2002

For: ω -CARBOXYARYL SUBSTITUTED DIPHENYL UREAS AS RAF KINASE INHIBITORS

The owner, Bayer HealthCare L.L.C. of 100 percent interest of the above patent by virtue of assignment documents recorded on November 26, 2008 (reel /frame 021893/0485) and July 27, 2009 (reel/frame 023031/0963), hereby disclaims, except as provided below, the terminal part of the statutory term which extends beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of US Patent No. 7351,834 B1, filed on January 12, 2000 and issued on April 1, 2008. The owner hereby agrees that the above patent shall be enforceable only for and during such period that it and US Patent No. 7351,834 B1, filed on January 12, 2000 and issued on April 1, 2008, are commonly owned. This agreement is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of US PATENT No. 7,235,576 B1 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of US Patent No. 7351,834B1, filed on January 12, 2000, issued on April 1, 2008, in the event that such patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 30,595

/Richard J. Traverso/
Signature08-13-2009
Date

Richard J. Traverso 30,595
Typed or Printed Name

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.